

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GEORGE AVALOS,

Plaintiff,

v.

MASCOT LLC,

Defendant.

Case No. 1:20-cv-01739-NONE-SAB

ORDER REQUIRING PLAINTIFF TO
SHOW CAUSE WHY MONETARY
SANCTIONS SHOULD NOT ISSUE FOR
FAILURE TO COMPLY WITH COURT
ORDER

THREE DAY DEADLINE

On December 9, 2020, George Avalos (“Plaintiff”) filed this action against Mascot LLC (“Defendant”) alleging violations of the Americans with Disabilities Act. (ECF No. 1.) On February 10, 2021, Plaintiff filed a notice of settlement. (ECF No. 7.) Plaintiff was ordered to file dispositional documents within thirty days of February 11, 2021. (ECF No. 8.) More than thirty days have passed and Plaintiff has not filed dispositional documents or otherwise responded to the Court’s February 11, 2021 order.

Further, this is not the first time that this Court has been required to address Plaintiff’s failure to comply with its orders. See Avalos v. East Africa Humanitarian Organization Properties, Inc., No. 1:20-cv-01605-DAD-SAB (E.D. Cal. Feb. 4, 2021) (order to show cause for failure to comply with court order); Avalos v. Franco De Pizano, No. 1:20-cv-01571-DAD-SAB (E.D. Cal. March 2, 2021) (order to show cause for failure to comply with court order). The March 9, 2021 order discharging the order to show cause in Avalos v. Franco De Pizano, stated,

1 “Plaintiff is advised that when a deadline is unable to be met, the prudent course is to request an
2 extension of the deadline and such failures to comply in the future may result in the issuance of
3 monetary sanctions.” (No. 1:30-cv-01571-DAD-SAB, ECF No. 24 at 1-2.)

4 Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these
5 Rules or with any order of the Court may be grounds for imposition by the Court of any and all
6 sanctions . . . within the inherent power of the Court.” The Court has the inherent power to
7 control its docket and may, in the exercise of that power, impose sanctions where appropriate,
8 including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir.
9 2000).

10 Accordingly, Plaintiff is HEREBY ORDERED TO SHOW CAUSE IN WRITING within
11 **three (3) days** of the date of entry of this order why monetary sanctions should not issue for the
12 failure to comply with this Court’s February 11, 2021 order.

13 IT IS SO ORDERED.

14 Dated: **March 16, 2021**

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17 UNITED STATES MAGISTRATE JUDGE
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